



December 11, 2013

Mr. William M. Coward
President
Cambria-Rowe Business College
221 Central Avenue
Johnstown, PA 15902-2494

Sent Via E-Mail and UPS
Tracking Number:
1ZA879640192589679

RE: Final Program Review Determination
OPE ID: 00488900
PRCN: 201140327612

Dear Mr. Coward:

The U.S. Department of Education's (Department's) School Participation Division - Philadelphia issued a program review report on September 27, 2012 covering Cambria-Rowe Business College's (CRBC's) administration of the programs authorized by Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs), for the 2009-2010 and 2010-2011 award years. CRBC's final response was received on October 24, 2012. A copy of the program review report and CRBC's response are attached. Any supporting documentation submitted with the response is being retained by the Department and is available for inspection by CRBC upon request. Additionally, this Final Program Review Determination (FPRD), related attachments, and any supporting documentation may be subject to release under the Freedom of Information Act and can be provided to other oversight entities after this FPRD is issued.

Purpose:

Final determinations have been made concerning all of the outstanding findings of the program review report.

This FPRD contains a finding regarding CRBC'S failure to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) in Section 485(f) of the HEA, 20 U.S.C. § 1092(f), and the Department's regulations in 34 C.F.R. §§ 668.41 and 668.46. Since a Clery Act finding does not result in a financial liability, such a finding may not be appealed.

Record Retention:

Program records relating to the period covered by the program review must be retained until the later of: resolution of the loans, claims or expenditures questioned in the program review; or the

Federal Student Aid

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School Participation Division - Philadelphia

The Wanamaker Building, 100 Penn Square East, Suite 511, Philadelphia, PA 19107
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end of the retention period otherwise applicable to the record under 34 C.F.R. §§ 668.24 (e)(1), (e)(2), and (e)(3).

If CRBC has any questions regarding this FPRD, please contact Mr. Robert Gelfand on (215) 656-8593.

Sincerely,

(b)(6); (b)(7)(C)

Nancy Paula Gifford
Director
School Participation Division - Philadelphia

Enclosures: Attachment A (September 27, 2012 Program Review Report)
CRBC's Program Review Response

cc: Ms. Linda Wess, Director of Financial Aid Services
Accrediting Council for Independent Colleges and Schools
Pennsylvania State Board of Private Licensed Schools

Prepared for
**Cambria-Rowe
Business College**

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**Prepared by
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Federal Student Aid
School Participation Division - Philadelphia**

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A. Institutional Information

Cambria-Rowe Business College
221 Central Avenue
Johnstown, PA 15902-2494

Type: Proprietary

Highest Level of Offering: Associate's Degree (Two Year)

Accrediting Agency: Accrediting Council for Independent Colleges and Schools

Current Student Enrollment: 100 (August 2012)

Percentage of Students Receiving Title IV Funds: 92% (August 2012)

Title IV Participation:

2009-2010 Award Year

| | |
|--|--------------------|
| Academic Competitiveness Grant Program | \$ 34,601 |
| Federal Pell Grant Program | \$1,211,450 |
| Federal Family Education Loan Program | \$2,216,085 |
| <u>William D. Ford Federal Direct Loan Program</u> | <u>\$ 174,798</u> |
| TOTAL | \$3,636,934 |

2010-2011 Award Year

| | |
|--|--------------------|
| Academic Competitiveness Grant Program | \$ 14,259 |
| Federal Pell Grant Program | \$1,429,246 |
| <u>William D. Ford Federal Direct Loan Program</u> | <u>\$2,165,483</u> |
| TOTAL | \$3,608,988 |

| | |
|---------------------------------------|-------------|
| Federal Family Education Loan Program | 2011: 16.2% |
| Default Rates | 2010: 13.5% |
| | 2009: 11.6% |

B. Scope of Review

The U.S. Department of Education (Department) conducted a program review at Cambria-Rowe Business College (CRBC) from August 1, 2011 to August 4, 2011. Mr. Robert Gelfand and Ms. Deborah Marsh conducted the review.

The focus of the review was to determine CRBC's compliance with the statutes and regulations as they pertain to the institution's administration of the Title IV, HEA programs. The review consisted of, but was not limited to, an examination of CRBC's policies and procedures regarding institutional and student eligibility, individual student financial aid and academic files, attendance records, student account ledgers, and fiscal records.

A sample of 30 files was identified for review from the 2009-2010 and 2010-2011 award years. The files were selected randomly from a statistical sample of the total population receiving Title IV, HEA program funds for each award year. Appendices A and B list the names and social security numbers of the students whose files were examined during the program review. A program review report was issued on September 27, 2012. See Attachment A for a copy of the program review report.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning CRBC's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve CRBC of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs.

C. Findings and Final Determinations

Resolved Findings

CRBC has taken the corrective actions necessary to resolve Findings # 1, 2, 3, 4, 5, 6, and 7 in the program review report. Therefore, these finding may be considered closed.

Finding with Final Determination

At the conclusion of Finding # 8 is a summary of CRBC's response to the finding, and the Department's final determination for that finding.

Finding # 8: Campus Security Requirements Not Met

Citation Summary:

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Department's regulations require that all institutions that receive Title IV, HEA program funds must, by October 1 of each year, publish and distribute to its current students and employees through appropriate publications and mailing, a comprehensive Annual Security Report (ASR) that contains, at a minimum, all of the statistical and policy elements enumerated in 34 C.F.R. § 668.46(b).

The ASR must be prepared and actively distributed as a single document. The only exception to this requirement is that the ASR may cross-reference information regarding the institution's alcohol and other drug abuse prevention programs required by § 120(a)-(d) of the Higher Education Act. 34 C.F.R. § 668.46(a)(10).

Acceptable means of distribution include regular U.S. Mail, campus mail, hand delivery, or by posting the ASR on the institution's website. If an institution chooses to distribute its report by posting to an internet or intranet site, the institution must, by October 1 of each year, distribute a notice to all students and employees that includes a statement of the report's availability and a link to its exact electronic address, a description of its contents, as well as an advisement that a paper copy will be provided upon request. 34 C.F.R. § 668.41(e)(1). These regulations also require institutions to provide a notice containing this information to all prospective students and employees. All such notices must be conspicuous and inform interested parties about how to obtain a paper copy of the ASR. 34 C.F.R. § 668.41(e)(4).

An institution's ASR must include statistics for incidents of crimes reported during the three most recent calendar years. The covered categories include criminal homicide (murder and non-negligent manslaughter), forcible and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Statistics for certain hate crimes as well as arrest and disciplinary referral statistics for violations of certain laws pertaining to illegal drugs, illegal usage of controlled substances, liquor, and weapons also must be disclosed in the ASR. These crime statistics must be published for the following geographical categories: 1) on campus; 2) on-campus student residential facilities (as a subset of category # 1); 3) certain non-campus buildings and property; and, 4) certain adjacent and accessible public property. 34 C.F.R. § 668.46(c)(4).

An institution must report by category of prejudice the crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

The Hate Crimes Prevention Act (HCPA) of 2009 expanded the definition of hate crime to include assault on people based on sexual orientation, gender, and gender identity, in addition to race, religion, and national origin.

With the HCPA, the Clery Act was amended to include mandatory reporting of hate crimes that occurred during any of the following crimes: larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property. The reporting of these hate crime categories on the ASR went into effect with the 2009 calendar year.

Finally, an institution must also submit its crime statistics to the Department in the manner prescribed by the Secretary for inclusion in the Office of Postsecondary Education's "Campus Safety and Security Data Analysis Cutting Tool." 34 C.F.R. § 668.41(e)(5).

Non-compliance Summary:

Four categories of hate crimes (larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property) were not included on CRBC's 2010 ASR for the 2009 calendar year. The 2010 ASR covered the 2007, 2008 and 2009 calendar years.

Failure to prepare an accurate and complete ASR and to actively distribute it to current students and employees in accordance with Federal regulations deprives the campus community of important security information.

Required Action:

On October 21, 2011, CRBC provided the institution's 2011 ASR to the Department. The 2009 and 2010 calendar years contained the required hate crime categories of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property. Therefore, CRBC was not required to provide a reply to this finding with its response to the program review report.

Final Determination:

Finding # 8 of the program review report cited CRBC for its failure to properly include four required categories of hate crimes (larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property) in the statistical grids that were published in the institution's 2010 ASR. This violation was brought to the institution's attention and the required modifications were made in advance of the publication of CRBC's 2011 ASR. This remedial action was also initiated in advance of the issuance of the program review report. As a result, CRBC was not required to comment on this finding in its response.

CRBC has asserted that required remedial actions were taken and that appropriate controls and policies are now in place. These changes should result in improved campus security operations and better Clery Act compliance going forward. The Department's analysis of CRBC's 2011 ASR did not identify any significant omissions or weaknesses in the problem areas identified in the program review report, suggesting that the corrective actions were at least minimally adequate. For these reasons, the Department considers this finding to be closed.

Although the finding is now closed, CRBC is reminded that the exception identified above constitutes a serious violation of the Clery Act that by its nature cannot be cured. CRBC was required to initiate all necessary remedial measures and in doing so, has begun to address the conditions that led to these violations. CRBC has stated that it has brought its overall campus security program into compliance with the Clery Act as required by its Program Participation Agreement. Nevertheless, CRBC is advised that such actions cannot and do not diminish the seriousness of these violations nor do they eliminate the possibility that the Department will impose an adverse administrative action and/or require additional corrective actions as a result.

In recognition of the potential consequences of a compliance failure, the Department strongly recommends that CRBC re-examine its campus safety, drug and alcohol abuse prevention, and general Title IV policies and procedures on at least an annual basis and revise them as needed to ensure that they continue to reflect current institutional policy and are in full compliance with Federal regulations. CRBC is further advised to continue to develop the contents of its ASR and to take definitive steps to continuously improve its overall campus safety program.

CRBC officials may wish to review the Department's "Handbook for Campus Safety and Security Reporting" (2011) for guidance on complying with the Clery Act. The handbook is available online at: www2.ed.gov/admins/lead/safety/handbook.pdf. The regulations governing the Clery Act can be found at 34 C.F.R. §§ 668.14, 668.41, 668.46, and 668.49.

Finally, CRBC officials are reminded to review the accuracy and completeness of its Drug and Alcohol Abuse Prevention Program (DAAPP) as required by the Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department's General Administrative Regulations. The Department's Federal Student Aid office is now responsible for monitoring compliance with the DFSCA. Therefore, it is essential that CRBC makes sure that it has developed and implemented a comprehensive DAAPP and that it conducts substantive biennial reviews and completes its biennial review reports on the proper schedule. For assistance or more information on the Clery Act and/or the DFSCA, please contact the program review team or another member of the School Participation Division - Philadelphia.

D. Appendices

Appendices A and B contain personally identifiable information. As a result, this FPRD will also be sent to CRBC as an encrypted WinZip file using Advanced Encryption Standard, 256-bit. The password needed to open the encrypted WinZip file will be sent in a separate email.